GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Eluru Municipal Corporation - Allegations against Sri V. Srinivasa Rao, the then Senior Assistant(Expired), Eluru Municipal Corporation, West Godavari District – Departmental enquiry under A.P.Civil Services (CCA) Rules 1991 – Further action abated and recovery of an amount of Rs.28,23,005/- in terms of Rule-9(7) of APRP Rules, 1980 – Orders – Issued.

MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (Vig.II-2) DEPARTMENT

G.O.MS.No. 261 Date:28-11-2015

Read the following:

1.From CDMA, AP, Hyderabad Lr.No.16014/2009-C1, dt.03.10.2009.
2.G.O.Rt.No.1490 M.A. & U.D. (L1) Dept.,dt.07.11.2009.
3.WSD of Sri V. Srinivasa Rao, Sr.Asst, dt.Nil.
4.G.O.Rt No.865 MA&UD(L1) Dept., Dt.06.07.2010.
5.From Enquiry Officer Lr.Roc.No.895/2010/A3, dt.06.08.2012 & 06.02.2015.
6.Govt.Memo No.16742/L1/2009-6, Dt.14.11.2012.
7.Govt.Memo No.16742/L1/2009-7, Dt.14.11.2012.
8.Representation of Smt T.Padmavathi,W/o.late V. Srinivasa Rao, dt.29.09.2014.
9.From CDMA, AP, Hyderabad Lr.No.16014/2009/C1-1, dt.26.12.2014.
10.From CDMA, AP, Hyderabad Lr.No.16014/2009/C1, dt.23.02.2015.

O R D E R

In the reference 1st read above, the Commissioner & Director of Municipal Administration, A.P, Hyderabad has furnished articles of charges against Sri V. Srinivasa Rao, the then Senior Assisstant and others, Eluru Municipal Corporation, West Godavari District in connection with financial loss and irregularities and administrative lapses committed in collection Market lease in Eluru Municipal Corporation. Accordingly, charges have been issued vide reference 2nd read above as follows:-

Charge No.1

That he has failed to remit the deposit amount by the successful bidder and other bidders on 04.08.2008.

Charge No.2

That he has failed to collect four months advance as per the Gazette from the successful Aseelu contractor and thereby he has misappropriated Rs.1.00 Lakhs.

Charge No.3

That he has not handed over eight post dated cheques from 10.10.2008 to 10.05.2009 to the shroff duly conniving with the successful bidder, for timely presentation of the cheques to the Bank which submitted by Sri.V.Krishna Mohan, successful bidder.

Charge No.4

That he has failed to submit the cheques to the Bank timely duly conniving with the contractor, and submitted to the Bank on 09.03.2009, thereby all the cheques were bounced and returned for want o insufficient funds.

Charge No.5

That he has failed to verify the cheques submitted by Sri.V.Krishna Mohan, successful bidder, as all the cheques were belongs to Sri.K.Rama Mohana Rao, S/o.Venkata Rao, Account holder with SB A/c.No.071910021002543.

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Charge No.6

That he has failed to handover the cheques and other important files till to day to Sri.P.M.V.Krishna, A-1 Clerk duly connived with the successful bidder though he was transferred on 09.04.2009.

Charge No.7

That he has failed to insist in taking the agreement and getting it recorded as per the Indian Stamps and Registration Act. Thereby financial loss to the Government and Municipal Corporation to a tune of 9% on Rs. 40.05 Lakhs.

Charge No.8

The he has misquided the Commissioner in following the Counter Affidavit that the successful bidder has paid 3 months advance is Rs. 10,01,250/- where as Rs.9,11,250/- was actually paid by the successful bidder.

Charge No.9

That he has not properly dealt with Asilu contract Court cases duly connived with the Contractor.

Charge No.10

That he has failed to brought to the notice of the Commissioner about the timely extension of leases and timely auctioning the shops, thereby financial loss to the Municipal Corporation.

Charge No.11

Thus on account of above mentioned charges, he has exhibited his lack of integrity, devotion, and dedication of duty and also exhibited his carelessness and negligent attitude and indulgence in the activities which are un becoming of an employee of an institution, thereby contravened rule 3 of APCS (conduct) Rules, 1964.

2. In the reference 3rd read above, Sri V. Srinivasa Rao, the then Senior Assisstant, Eluru Municipal Corporation, West Godavari District while denying the charges framed against him has submitted his written statement of defence. Government after examining the written statement defences of charged officers and having found it not satisfactory appointed Enquiry Officer to inquire into the charges framed against him vide reference 4th cited.

3. The Enquiry Officer has submitted Enquiry Report to the Government vide reference 5th cited. In the reference 6th cited, a copy of the Enquiry Report has been communicated to Sri V. Srinivasa Rao, the then Senior Assisstant, Eluru Municipal Corporation, West Godavari District for his written submission of representation within (15) days on the findings of the Inquiry Authority duly show causing as to why the proportionate share of amount caused loss to the Corporation shall not be recovered from him. The CDMA has also requested to calculate the total loss caused to the Corporation of Eluru and furnish detailed report to recover proportionate share of amount from charged officers vide reference 7th read above.

4. In the reference 8th read above, Smt T. Padmavathi, W/o.V. Srinivasa Rao, the then Senior Asst., in her representation has stated that her husband Sri V. Srinivasa Rao was expired 08.11.2013 and requested to abate the disciplinary action against him and release all pensionary benefits on sympathetic view.

5. In the reference 10th cited, Commissioner & Director of Municipal Administration, A.P, Hyderabad, among other things, has stated that Sri V. Srinivasa Rao, the then Senior Assistant, Eluru Municipal Corporation, West Godavari District has expired on 08.11.2013 and also stated that the Inquiry Authority held that except one charge, all charges are proved during the enquiry while he was alive. Hence, the CDMA, AP, Hyderabad has requested the Government to take a view in terms of Rule-9(7) of AP Revised Pension Rules, 1980 against him keeping in view the reports of the Inquiry Authority and issue necessary orders in the matter.

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6. Government after careful examination of the matter, hereby abate further disciplinary action against Sri V. Srinivasa Rao, the then Senior Assistant, Eluru Municipal Corporation, West Godavari District, as he expired on 08.11.2013 in terms of Rule-9(7)(a) of AP Revised Pension Rules, 1980 also cover and recover an amount of Rs.28,23,005/-(i.e., 60% of Rs.46,15,008/- +90,000/-) from his terminal benefits. If the said full amount is not covered from his terminal benefits, the balance amount shall be recovered as per the Provisions of Revenue Recovery Act as the charges are held proved during the enquiry.

7. The Director of Municipal Administration, A.P, Hyderabad shall take necessary further action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

R. KARIKAL VALAVEN
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director of Municipal Administration, A.P, Hyderabad.
The legal heir of late Sri V. Srinivasa Rao, Sr.Asst., Eluru Municipal Corporation.
The RDMA, Rajahmundry, East Godavari District.
The Municipal Commissioner, Eluru Municipal Corporation.
Copy to:
The Accountant General(A&E), AP, Hyderabad.
Sc/Sf.

// FORWARDED :: BY ORDER //

SECTION OFFICER